

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. CR18-131-RAJ  
Plaintiff, )  
v. ) DETENTION ORDER  
MARTIN JEFFREY BANKS, )  
Defendant. )

**Offenses charged in Indictment:**

## Count 1 – Conspiracy to Distribute Controlled Substances, including

cocaine (5+ kilos), heroin methamphetamine, marijuana, and oxycodone

**Count 7 – Possession of cocaine with intent to distribute (500+ grams)**

## Count 29 – Possession of cocaine with intent to distribute

Date of Detention Hearing: June 15, 2018 .

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure either the safety of other persons and the community or that defendant will

01 make his future appearances as directed.

02

03 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

04 (1) The Indictment charges defendant with three drug offenses, each of which carries a  
05 maximum penalty of more than ten years of imprisonment. There is therefore a  
06 rebuttable presumption that defendant will be detained both as a flight risk and as a  
07 danger.

08 (2) Defendant has presented nothing which persuasively rebuts this presumption.

09 (3) His criminal history extends for approximately 30 years. While the vast majority of  
10 his convictions are for traffic-related offenses, he also has three convictions for  
11 controlled substance violations, a criminal prosecution for rented/leased equipment,  
12 resisting arrest, and forgery,

13 (4) He has failed to appear on many, many occasions. King County authorities report that  
14 88 warrants for failures to appear were issued from King County alone. There are  
15 warrants from Oregon, and defendant acknowledged he was aware of them. There is  
16 also a fugitive warrant pending from Georgia. This is compelling evidence that, if this  
17 court were to release him on bond in this case, there is little chance he would make his  
18 court appearances as directed.

19 (5) Defendant proposes to reside with his son and family, if released by this court. But his  
20 son has a criminal history of his own. He just completed serving a 37-month sentence  
21 for felon in possession of a firearm, and is on supervision in this court. He also has a  
22 prior federal case for the same offense. The son's presentence report indicates he is a

01 member of the East Union Street Hustlers gang. Defendant's daughter-in-law also has  
02 a criminal record, consisting of at least one gross misdemeanor conviction. The  
03 Pretrial Services Office does not support this proposed place of residence for  
04 defendant. The court endorses this conclusion.

05 (6) Defendant received gunshot wounds in his legs in 1986 and 2016, and currently  
06 suffers infections and significant pain from those wounds. Defendant considers them  
07 life-threatening. He treats them with marijuana, but acknowledges that he could not  
08 do so if released on bond by this court.

09 (7) He is unemployed, and receives disability benefits by reason of his gunshot wounds.

10 (8) He is alleged to have used an alias, three different Social Security numbers, and three  
11 different dates of birth.

12 (9) A Seattle Police Officer, who serves with the FBI Task Force, reports that defendant is  
13 affiliated with the 'east Union Street Hustlers gang. Defendant denies this.

14

15 It is therefore ORDERED:

- 16 1. Defendant shall be detained pending further proceedings and committed to the custody  
17 of the Attorney General for confinement in a correction facility separate, to the extent  
18 practicable, from persons awaiting or serving sentences or being held in custody  
19 pending appeal;
- 20 2. Defendant shall be afforded reasonable opportunity for private consultation with  
21 counsel;

3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding;

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 15th day of June, 2018.

s/ John L. Weinberg  
United States Magistrate Judge